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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,104	01/26/2006	Kazufumi Mizusawa	39565	9571
53054 7590 06/22/2009 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108				
EXAMINER				
KONG, SZE-HON				
ART UNIT		PAPER NUMBER		
3661				
NOTIFICATION DATE		DELIVERY MODE		
06/22/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patdocket@peame.com
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Office Action Summary

Application No.

10/566,104

Applicant(s)

MIZUSAWA, KAZUFUMI

Examiner

SZE-HON KONG

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 5/4/2009 have been fully considered but they are not persuasive.

The arguments are directed to the amended claims that are discussed below.

Applicant's arguments with respect to claims 1, 4-6 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. Claims 1, 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kakinami (6,813,371) and Okamoto (6,587,760).

For claims 1, 4 and 6, Kakinami discloses a drive assisting apparatus for displaying an image around a vehicle, which is acquired by an on-vehicle camera, on a

screen of an on-vehicle monitor (Abstract), comprising: locus display data being used to display a travel predicted locus of the vehicle corresponding to a steering angle of a steering wheel on the screen (Col. 3, lines 32-40), and said adjusting data being used to adjust a display position of the travel predicted locus on the screen based upon said locus display data (Col. 10, lines 20-23). Steering angle detecting means (2) for detecting the steering angle of the steering wheel (Fig. 1, Col. 4, lines 17-27); and drive assisting image producing means for reading out said locus data corresponding to the steering angle detected by said steering angle detecting means during a normal driving operation subsequent to a setting operation (Col. 4, lines 42-49 and col. 5, lines 5-19), for producing a drive assisting image by superimposing the travel predicted locus on the image around the vehicle based upon the locus display data and the adjusting data, which are contained in said read locus data, and for outputting said drive assisting image to said on-vehicle monitor (Col. 10, lines 40-45). The drive assisting apparatus includes display position adjusting amount setting means for setting a value of the adjusting data (Col. 2, lines 37-48). The values of adjusting data are calculated and are with respect to steering angles (Fig. 7 and col. 5, lines 5-19 and col. 6, lines 48-67). The adjusted angle information are stored as camera parameters of the CCD camera into EEROM inside the CPU and produce forecasted vehicle travel path, locus with the adjusted data on the screen of the display (Col. 10, lines 15-23).

Kakinami does not specifically disclose a data table containing the locus data. However, it would have been obvious for one of ordinary skill in the art a data table containing the locus data would be stored in the EEROM inside the CPU to produce the

display for the forecasted vehicle travel path. Okamoto discloses image data storing means for storing data of the predicted vehicle route image, actual vehicle route image, and the vehicle image generated based on outputs of the wheel speed sensor and the steering angle sensor (Col. 4, lines 41-48). It would have been obvious for one of ordinary skill in the art at the time the invention was made recognize the memories taught by Kakinami and Okamoto stores locus data for producing accurate travel predicted locus corresponding to the steering angle of the vehicle on the display.

For claim 5, Kakinami discloses said data table stores thereinto a plurality of different locus data sets as to a pan angle, or a roll angle as the locus data corresponding to the steering angle (Fig. 7 and col. 6, lines 48-61).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(6,785,404) Shimazaki et al. discloses an image positional relation correction apparatus, however, is only discussing correcting the positional relation between a real target and virtual target of a on-vehicle camera and transmitting the correction amount to produce accurate display and not correcting roll and pan angle.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SZE-HON KONG whose telephone number is (571)270-

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1503. The examiner can normally be reached on 7:30AM-5PM Mon-Fri, Alt. Fri.

Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

6/16/2009

/SZE-HON KONG/
Examiner, Art Unit 3661

/Thomas G. Black/
Supervisory Patent Examiner, Art Unit 3661